

REMARKS

Claims 68-93 are currently pending in the application. Of these claims, claims 68 and 87 are independent.

Restriction/Election

In the Office Action, claims 63-67 are withdrawn from consideration as being directed to an invention that is independent or distinct from the invention constructively elected by original presentation.

Without conceding to the propriety of this restriction, Applicant has canceled claims 63-67 without prejudice or disclaimer.

Rejections over Dunstan

In the Office Action, claims 30-34 and 57-61 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,714,870 to Dunstan ("Dunstan").

Without conceding to the propriety of these rejections, Applicant has canceled claims 30-34 and 57-61 without prejudice or disclaimer. Applicant therefore respectfully submits that these rejections are no longer applicable.

New Claims

New independent claim 68 refers to identification of a time in response to an interrupt and prior to execution of an interrupt routine in response to the interrupt.

Dunstan taught in column 5 at lines 46-54 that power consumption monitor 4 is able to detect termination of a suspended condition by intercepting a message. Applicant respectfully submits, however, that Dunstan did not teach or suggest identification of a time prior to execution of any interrupt routine in response to such a message.

New independent claim 87 refers to determining by an operating system a duration corresponding to a power state based on a content of a counter caused to be started and halted by the operating system.

Dunstan taught in column 6 at lines 30-54 that pre-suspend and post-suspend readings from real-time clock 5 are used to measure a period of time host 1 is suspended. Applicant respectfully submits, however, that use of such real-time clock readings cannot be equated with using a counter caused to be started and halted by an operating system.

Applicant notes the Office Action refers to claim 13 in column 9 of Dunstan for use of a counter. Claim 13 of Dunstan, however, only refers to "means for determining a period of time ..." and does not refer to a counter.

Noting that new claims 69-86 and 88-93 depend from claim 68 or 87, Applicant therefore respectfully submits that new claims 68-93 are patentable over Dunstan.

The Examiner is invited to telephone the undersigned to help expedite the prosecution of this patent application.

Respectfully submitted,

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